

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

BECKY’S BRONCOS, LLC;	)	
JAMES BROAD; and REBECCA MCCRENSKY;	)	
Plaintiffs	)	Civil Action No. <u>1:24-cv-11308-AK</u>
v.	)	
TOWN OF NANTUCKET; and	)	
NANTUCKET TOWN SELECT BOARD;	)	
Defendants	)	

PLAINTIFFS’  
UNOPPOSED<sup>1</sup> FIRST MOTION FOR LEAVE TO AMEND THE COMPLAINT

Pursuant to Federal Rules of Civil Procedure 15(a)(2), plaintiffs Becky’s Broncos, LLC, James Broad, and Rebecca McCrensky (Plaintiffs) hereby respectfully move this Honorable Court for leave to amend their original complaint as indicated in the proposed amended complaint in blackline form attached as Exhibit 1 (without exhibits) to the memorandum in support of this motion and clean form attached as Exhibit 2 (with exhibits) to the memorandum in support of this motion.

As grounds therefor, Plaintiffs seek merely to amend the complaint to conform to the evidence uncovered at hearing on Plaintiff’s motion for preliminary injunction and in public records request responses subsequent to the filing of the complaint and to narrow the claims in accordance with the First Circuit’s Opinion affirming this Honorable Court’s denial of Plaintiff’s motion for preliminary injunction (Doc No. 31). Allowance of this motion eliminates five of the original eight claims alleged, leaving only claims for violation of state and federal antitrust laws and the dormant commerce clause doctrine. Allowance of this motion eliminates the individual

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<sup>1</sup> Defendants do not plan on opposing this motion but reserve their right to file an appropriate responsive pleading to the amended complaint once filed.

plaintiffs, leaving only the corporate one. Allowance of this motion simplifies the matter before this Honorable Court. Allowance of this motion does not prejudice the parties – discovery has not begun nor is there a scheduling order in place as there has yet to occur a Rule 16.1 conference. **Defendants do not plan on opposing this motion** but reserve their right to file an appropriate responsive pleading to the amended complaint once filed.

In further support of this motion, Plaintiff submits the accompanying memorandum of law.

WHEREFORE, Plaintiff respectfully requests that this Honorable Court allow this here motion.

Respectfully submitted,  
Plaintiffs,  
By their attorney,

Date: June 10, 2025

/s/ Lucas Newbill  
Lucas Newbill, BBO No. 697176  
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CERTIFICATE PURSUANT TO LOCAL RULE 7.1

I hereby certify that a conference pursuant to LR 7.1 conference with counsel for Defendants, Matt Hamel, was held in good faith on June 5, 2025. Counsel for Defendants do not plan on opposing this motion but reserve their right to file an appropriate responsive pleading to the amended complaint once filed.

/s/ Lucas Newbill  
Lucas Newbill, BBO No. 697176

CERTIFICATE OF SERVICE

I hereby certify that this document was filed this date through the court's electronic-filing system (ECF) and will therefore be sent electronically to the registered participants as identified on the Notice of Electric Filing (NEF) and paper copies will be sent this day to those participants indicated as non-registered participants.

Dated: June 10, 2025

/s/ Lucas Newbill

Lucas Newbill, BBO No. 697176